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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,778	03/12/2004	Richard Schiller	P-6666-US	5632
49443 7590 08/30/2007 PEARL COHEN ZEDEK LATZER, LLP 1500 BROADWAY 12TH FLOOR NEW YORK, NY 10036			EXAMINER DESIR, JEAN WICEL	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 08/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/798,778	<b>Applicant(s)</b> SCHILLER, RICHARD	
	<b>Examiner</b> Jean W. Désir	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,9,10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,9,10 and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: CONTROLLING A VIDEO DISPLAY DEVICE WITH ASSOCIATED INFORMATION.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5, 7, 9, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worrell (US 6,690,425) in view of Terry (US 5,546,131).

#### **Claim 1:**

Worrell discloses:

"receiving at a first input a video signal having a first scanning raster and associated with a first aspect ratio", see col. 3 line 14, col. 1 lines 31-32, Figs. 1, 2, 6;

"transforming the video signal to a second scanning raster having a different aspect ratio from the first aspect ratio, the transformation resulting in the video signal retaining the first aspect ratio within the second scanning raster and occupying only part

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of the second scanning raster", see Figs. 1, 2, 6, col. 1 lines 34-39, col. 3 lines 18-22, 48-49;

"displaying the transformed video signal", see Figs. 2, 6;

"unoccupied part of the second scanning raster" is also disclosed, see hatched parts of Figs. 2, 6;

the only difference between the claimed invention and Worrell's disclosure is that Worrell does not explicitly display associated information, received at a second input, in some or all of the unoccupied part of the second scanning raster, as claimed. However, the structure of the claimed limitation is a notoriously well known technique in the art- as evidence see Terry at Figs. 1a-1f, 2, which clearly show the advantage of displaying associated information, received at a second input, in some or all of the unoccupied part of the second scanning raster. Thus, an artisan would be motivated to modify Worrell's disclosure and implement this existing technique to arrive at the claimed invention, because this technique is readily available to the designer and received associated information would be advantageously displayed in some or all of the unoccupied part of the second scanning raster. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claims 3, 4 are disclosed, see Terry at col. 2 line 32, col. 1 lines 34-39, Worrell at col. 3 lines 18-22.

Claim 5 is disclosed, see Worrell at col. 1 lines 10-17.

**Claim 9** is rejected for the same reasons as claim 1.

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Claim 7 is disclosed, see Terry at Figs. 1a-1f, 2, where the associated data can be changed through control input.

Claim 19, 20, 21, are disclosed for the same reasons as claims 3, 4, 5.

4. Claims 10, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worrell (US 6,690,425) in view of Terry (US 5,546,131) and Saeger et al (US 5,345,270).

**Claim 10:**

The above implementation discloses all the claimed limitations in claim 10 as already pointed out in claim 1; except the implementation does not explicitly teach associating a **monitoring signal** as claimed in claim 10, however the implementation does teach associating information or data (like subtitles) with the video signal, and the reference to Saeger shows that associating monitoring signal, like storm warnings, news alerts, and other useful messages/information, and displaying them on the unoccupied part of the second raster, is a notoriously well known technique in the art (as evidence see Saeger at col. 1 lines 40-44, col. 5 lines 43-45, Figs. 2, 3). Because of these teachings, an artisan would be motivated to combine the references to arrive at the claimed invention, and provide associated monitoring signal and other useful messages/information. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

**Claims 13-16** are rejected for the same reasons as claim 10; because the reference to Saeger teaches that borders or unoccupied part of the display can be used to display different types of auxiliary information, see Saeger at col. 1 lines 40-51, col. 5 lines 13-

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14, 43-45, col. 8 line 13, these different types of auxiliary information and other useful information are considered to be included "control information" as claimed in claims 13-16.

Claim 12 is disclosed, see Terry at col. 5 line 45 to col. 6 line 7.

5. Claims 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worrell (US 6,690,425) in view of Terry (US 5,546,131), Saeger et al (US 5,345,270) and the Background of the instant application.

**Claims 17, 18:**

The above combination as stated in the rejection of claim 10 disclosed all the limitations of claims 17 and 18; except that an array of monitors are not explicitly disclosed as claimed in claims 17 and 18; however, the reference to Saeger teaches a system where station and/or network logos are also involved (see Saeger at col. 1 line 43, col. 5 line 14), this network environment would suggest to an artisan different sources/inputs and outputs/monitors, and the Background of the instant application discussed this suggestion (see Background of the instant application, page 1 lines 13-29); thus implementing the above combination in a network environment where different sources/inputs and outputs/monitors are involved would have been obvious to one of ordinary skill in the art at time the invention was made.

***Response to Arguments***

6. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

7. Regarding the title: a title is suggested above, the one suggested by the Applicant in the REMARKS is not descriptive.

### **Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (571) 272 7344. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272 7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JWD**

**Aug. 22, 07**

A handwritten signature in black ink, appearing to read 'D. Ometz', with a long horizontal stroke extending to the right.

DAVID OMETZ  
SUPERVISORY PATENT EXAMINER